UNITED
NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/50/259
S/1995/517
28 June 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Items 10 and 20 of the preliminary list*
REPORT OF THE SECRETARY-GENERAL ON THE WORK OF THE ORGANIZATION
STRENGTHENING OF THE COORDINATION OF HUMANITARIAN AND DISASTER RELIEF ASSISTANCE OF THE UNITED NATIONS, INCLUDING SPECIAL ECONOMIC ASSISTANCE

SECURITY COUNCIL
Fiftieth year

Letter dated 27 June 1995 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the letter of H.E. Mr. Leonid Kuchma, President of Ukraine, concerning the problem of sanctions and their negative effect on third countries.

I should be grateful if this letter and its annex were circulated as a document of the General Assembly under items 10 and 20 of the preliminary list, and of the Security Council.

(Signed) Anatoli M. ZLENKO
Permanent Representative

* A/50/50/Rev.1.

95-19424 (E) 290695 300695

/...

Annex

Letter dated 8 June 1995 from the President of Ukraine addressed to the Secretary-General

I am pleased to continue our constructive and frank dialogue on the burning issues of international relations, which was given a new impetus during our meeting at the World Summit for Social Development in Copenhagen. In my opinion, the improvement of such a mechanism of communication facilitates a clearer definition of the problems posed by the unorthodox challenges of the transitional period in world development and the need to seek optimal approaches to their solution.

For that reason, availing myself of this opportunity, I would like as a follow-up to our latest conversation to dwell on a subject that until recently had not been an urgent problem on the agenda of the United Nations. The matter concerns the problem of sanctions, imposed by the United Nations Security Council in accordance with Chapter VII of the Charter of the United Nations and their negative impact on third countries.

In the last few years, as a result of the large-scale enforcement of mandatory economic measures as one of the instruments to settle conflicts and ensure peace, the problem of negative consequences of the sanctions in general has acquired a new dimension.

In this context, I cannot but agree with the conclusion that you have reached in the position paper "Supplement to an agenda for peace" (A/50/60-S/1995/1), that the sanctions may have a most serious impact on other countries that are the neighbours or the main economic partners of the country on which they are imposed.

Security Council sanctions applied to the Federal Republic of Yugoslavia (Serbia and Montenegro) may serve as a vivid example.

Giving due recognition to your efforts in this direction, I would like to express my opinion on the given problem and suggest some approaches as to its settlement.

As a responsible United Nations Member, Ukraine takes an active part in United Nations peace-keeping activities and considers the Security Council sanctions an inalienable and integral part of the international efforts to achieve a peaceful settlement of the crisis in the former Yugoslavia. Their strict and consistent implementation on the part of our country testifies to that.

However, as was stressed during our meeting in Copenhagen, we pay a high price for it, further aggravating the grave economic situation of a country which, on top of everything, carries the heavy burden of mitigating the tragic consequences of the Chernobyl catastrophe. In spite of the annual examination of the problem of negative aftereffects of sanctions against the Federal Republic of Yugoslavia (Serbia and Montenegro) and the adoption of the relevant

consensus resolutions (A/48/210, A/49/21 A), Ukraine, like the other Danube riparian States, remains faced with this difficult problem.

Such a situation testifies to the fact that, unfortunately, not all the Charter requirements and principles are, in fact, implemented in full and on time. This concerns, first and foremost, Article 49 of the Charter, which states that "the Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council". The Council imposes sanctions on behalf of the whole international community, therefore all its members should shoulder the burden of responsibility for their implementation. In this connection we support your idea expressed in the "Supplement to an agenda for peace" concerning the fact that the losses incurred by imposing sanctions alongside other similar losses should be covered in a just proportion, not only by neighbours or main economic partners of the country in question on which sanctions are imposed, but by all Member States.

The overall negative impact of sanctions on certain regions and countries is so great that solving this problem requires the political will of Member States. It also depends on concerted bilateral and multilateral measures on behalf of the international community. In my opinion, under these circumstances, the United Nations could become a chief coordinator of activities in this field.

The urgent necessity to aid countries in solving their special economic problems is actually recognized by all, including yourself in the above-mentioned position paper. However, in my view, it is insufficient. There is a need for bold and concrete proposals and adequate steps by the international community as a whole as well as individual countries.

In this respect it would be useful to employ the indisputably high authority of the United Nations and your personal influence to encourage the implementation of the following measures towards settling this complex problem:

(a) Opening of special credit lines by international financial institutions to render direct financial assistance to third countries to support technical projects carried out in those countries;

(b) Introduction by the donor countries, on a bilateral and multilateral basis, of trade preferences for third countries, including promotion of their exports;

(c) Donor country support, on a bilateral and multilateral basis, of investments in the economies of third countries, special preference being given to the spheres that sustain direct losses from the sanctions.

There is also an urgent need to consider again establishing an effective mechanism based on Article 50 of the Charter to solve special economic problems, which would include the establishment of a voluntary compensation fund. The question of reducing by United Nations methodology the countries' dues for financing peace-keeping operations by the amount of losses those countries suffer from observing the sanctions regime also requires further consideration.

The time has come to consider the creation of a standing Security Council sanctions committee. It could be charged with the responsibility of estimating the losses the States have already suffered, conducting research on the economic and socio-political consequences of sanctions, coordinating measures to minimize those aftereffects on the most vulnerable population groups and third countries and also controlling their strict observance.

Presenting to your kind attention the above-mentioned proposals, I hope that the United Nations will take an initiative and effectively assist in the settlement of the problems that arise in this connection. Otherwise, we may face a clear danger of undermining the trust of United Nations Member States in sanctions and violating the principle of collective responsibility for taking enforcement measures on behalf of the United Nations.

(Signed) Leonid D. KUCHMA